

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BETTER HOLDCO, INC.,

Plaintiff,

v.

SARAH PIERCE,

Defendant.

No. 1:22-cv-09580 (S.D.N.Y.)

**STIPULATION RE: BRIEFING
SCHEDULE AND [PROPOSED]
ORDER**

WHEREAS, Plaintiff Better Holdco, Inc. (“Better”) filed in the Supreme Court of New York on October 11, 2022 a Motion for Summary Judgment in Lieu of Complaint pursuant to CPLR § 3213 (the “Motion”) against Defendant Sarah Pierce alleging moneys owed pursuant to a Promissory Note (the “State Action”); and

WHEREAS, Defendant removed the State Action to this Court on November 9, 2022 on the basis of complete diversity of citizenship and an amount in controversy exceeding \$75,000 pursuant to 28 U.S.C. § 1332; and

WHEREAS, the Parties seek to set a briefing schedule for the Motion to be heard by this Court;

IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their respective counsel, as follows:

1. Plaintiff will re-file and serve a Motion for Summary Judgment (the “Motion”) in compliance with the Federal Rules of Civil Procedure on or before November 30, 2022.

2. Defendant will respond to the Motion by December 21, 2022.
3. Plaintiff will file a reply in support of the Motion by January 9, 2022.

Dated: November 28, 2022

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IT IS SO ORDERED.

Date: _____, 2022

Hon. Analisa Torres
United States District Judge